

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. James Timothy Kelly Jr.

Docket No. 5:21-CR-150-1D

Petition for Action on Conditions of Pretrial Release

COMES NOW Corey Rich, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, James Timothy Kelly Jr., who was placed under pretrial release supervision by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, sitting in the Court at Raleigh, on the 22nd day of January, 2021.

The defendant appeared before Robert T. Numbers, II, the U.S. Magistrate Judge for arraignment on the 29th day of April, 2021, and supervision was continued under existing conditions.

On October 6, 2021, the court was presented with a petition to modify the conditions of release, specifically the location monitoring program. On October 7, the court agreed to modifying the conditions of release from home incarceration to a program of home detention with curfew.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: After contacting the Defense Attorney, and the U.S. Attorney in this matter, it was discovered that the intent of this modification was for home detention only, and not curfew. Therefore, we are requesting that the court modify the conditions of release to include home detention as directed by the probation officer.

PRAYING THAT THE COURT WILL ORDER:

The defendant must abide by all conditions and terms of the home detention program until further court order. The defendant must be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant must submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Corey Rich
Corey Rich
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2540
Executed On: October 19, 2021

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ORDER OF THE COURT

Considered and ordered the 20 day of October, 2021, and ordered filed and made part of the records in the above case.

J. Dever

James C. Dever III
U.S. District Judge